

# EXHIBIT A

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: UBER TECHNOLOGIES, INC.  
PASSENGER SEXUAL ASSAULT  
LITIGATION

MDL No. 3084 CRB

**[PROPOSED] PRETRIAL ORDER NO. \_\_:**  
**DISCOVERY SCHEDULE AND**  
**PROCEDURES**

\_\_\_\_\_  
This Document Relates to:  
ALL ACTIONS

On October 6, 2023, the Court ordered that “all outstanding discovery proceedings are stayed, and no further discovery shall be initiated.” ECF 2 at 3. On December 6, 2023, the Court ordered Co-Lead Counsel and the PSC to meet and confer with Defendants regarding, among other things, a discovery plan. ECF 152 at 5. The Court ordered Plaintiffs’ Liaison Counsel and Defendant to jointly file a proposed pretrial order regarding discovery. *Id.* at 6. The parties having submitted a joint proposal, the Court ORDERS that the following discovery schedule and procedures are established:

**1. Cooperation**

The parties agree to work together to coordinate discovery to the maximum extent feasible to promote the efficient and speedy resolution of this MDL.

**2. Discovery Stay**

The stay on discovery sought from Defendants is lifted as to discovery requests (including written discovery, depositions, and third-party discovery) authorized by Co-Lead

Counsel. All discovery on Plaintiffs remains stayed. Co-Lead Counsel and the PSC shall meet and confer with Defendants as to the scope and terms of Plaintiff-related discovery (e.g., plaintiff and defense profile forms, driver's full name and history file), and, by **January 31, 2024**, submit joint or competing proposed orders with a memorandum (not to exceed ten pages) explaining why the Court should adopt that party's proposal.

### **3. Service**

All discovery requests and written responses and objections may be served by email. For purposes of calculating the deadline to respond, email service will be treated the same as hand-delivery. Defendants shall serve discovery requests and written responses and objections on Plaintiffs' Co-Lead Counsel and Plaintiffs' designated email service list. Plaintiffs shall serve discovery requests and written discovery responses and objections on Defendants' designated liaison counsel.

### **4. Administrative Long Form Complaint**

By **February 15, 2024**, Plaintiffs shall file an Administrative Long Form Complaint. By **April 1, 2024**, Defendants shall file either Answers to Plaintiffs' Administrative Long Form Complaint or Rule 12 motions to dismiss, in whole or in part. By **May 22, 2024**, Plaintiffs shall file oppositions to any Rule 12 motions. By **June 19, 2024**, Defendants shall file replies in support of Rule 12 motions to dismiss Plaintiffs' Administrative Long Form Complaint.

### **5. Short Form Complaint**

By **February 29, 2024**, the parties shall file joint or competing proposals regarding the form and procedure for Short Form Complaints, including deadlines.

### **6. Discovery Schedule**

A. *Rule 26 Initial Disclosures.* Defendants shall serve Rule 26 initial disclosures by **February 29, 2024**, 14 days after the filing of a master administrative long-form complaint.

B. *Initial Productions—Government Documents.* Defendants shall promptly produce to Plaintiffs, prior to receipt of formal document requests from Plaintiffs, all documents Defendants produced to legislative, regulatory, or enforcement entities in connection with government investigations or inquiries of Uber with respect to sexual assault, including

attempted assaults, (except those investigations or inquiries conducted pursuant to grand jury subpoena), including all those by the California Public Utilities Department, and any associated privilege logs. Defendants shall make rolling productions and privilege logs of these Government Documents upon entry of the Protective Order and shall endeavor to complete those productions, including privilege logs, by **January 31, 2024**.

C. *Initial Productions—Other Case Documents*. Defendants shall promptly produce to Plaintiffs, prior to receipt of formal document requests from Plaintiffs, all documents Defendants produced in any other Uber sexual assault cases, including arbitrations, and any other cases about the “Safe Rides Fee,” including any associated privilege logs. Defendants may redact HIPAA-protected information of plaintiffs in those actions.

Defendants shall make rolling productions and endeavor to complete those productions, including privilege logs, by **February 8, 2024**.

D. *Substantial Completion of Defendant Document Production in Response to First Set of Requests for Production*. The parties shall endeavor to complete Defendants’ productions of non-privileged, responsive documents in response to Plaintiffs’ First Set of Requests for Production by **September 1, 2024**. The parties may apply (jointly or separately) for an extension of this deadline for good cause shown.

C. *Other Discovery*. Co-Lead Counsel and the PSC shall meet and confer with Defendants about a pre-trial order regarding the timing of deposition discovery, a protocol for depositions, and expert discovery. The parties will submit a joint proposed pre-trial order or orders regarding depositions and expert discovery on or before **February 23, 2024**. If the parties are unable to agree on the contents of such order(s), then each shall submit its own proposal with a memorandum (not to exceed 10 pages) explaining why the Court should adopt that party’s proposal.

## 7. **Electronically Stored Information**

Co-Lead Counsel and the PSC shall meet and confer with Defendants to discuss the ESI protocols that will be followed in this case. The parties shall also meet and confer regarding custodial sources and non-custodial sources of discovery and other ESI productions per the

Northern District of California's Checklist for Rule 26(f) regarding ESI and per PTO No. 2 no later than **January 24, 2024**. By **January 30, 2024**, the parties shall submit a joint proposed ESI Protocol. If the parties are unable to agree on the contents of such a protocol, then each side shall submit its own proposed order regarding production of ESI with a memorandum (not to exceed 10 pages) explaining why the Court should adopt that party's particular proposal. Nothing in this paragraph shall delay the initial productions called for under Paragraph 4.B & C, and Defendants are specifically directed to proceed with those productions after the entry of the Protective Order.

#### **8. Discovery Dispute Resolution**

Discovery disputes will be raised with Magistrate Judge Cisneros, and shall be resolved consistent with the procedures for discovery disputes as set forth in the Standing Order for Magistrate Judge Cisneros. If either party seeks to modify those procedures, the parties may file joint or competing proposals before Judge Cisneros, along with memoranda (not to exceed ten pages) arguing for one proposal versus another.

#### **9. Table of Dates**

<b>Deadline</b>	<b>Event</b>
January 24, 2024	Parties shall meet and confer regarding custodial sources and non-custodial sources of discovery and other ESI productions
January 30, 2024	Parties submit joint or competing ESI protocols
January 31, 2024	Parties submit joint or competing proposed orders with memorandum regarding Plaintiff-related discovery
January 31, 2024	Defendants complete production of all documents produced to legislative, regulatory, or enforcement entities
February 8, 2024	Defendants complete production of previously produced documents from any other Uber sexual assault case or any other cases about the "Safe Rides Fee"
February 15, 2024	Plaintiffs File Administrative Long Form Complaint
February 23, 2024	Parties submit joint or competing proposed pre-trial order(s) regarding depositions and expert discovery
February 29, 2024	Parties submit joint or competing proposed orders regarding Short Form Complaint form and procedure
February 29, 2024	Defendants serve Rule 26 Disclosures

1	April 1, 2024	Answer to Administrative Long Form
2		Complaint or Rule 12 motions to dismiss
3	May 22, 2024	Administrative Long Form Complaint, in
4		whole or in part.
5	June 19, 2024	Oppositions to Rule 12 motions to dismiss
6		Administrative Long Form Complaint, in
7	September 1, 2024	whole or in part
8		Reply in support of Rule 12 motions to
9		dismiss Administrative Long Form
10		Complaint, in whole or in part
11		Defendants substantially complete
12		productions of non-privileged responsive
13		documents in response to First Set of
14		Requests for Production

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**IT IS SO ORDERED.**

**DATED:**

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Hon. Charles R. Breyer  
United States District Court Judge